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6 **UNITED STATES DISTRICT COURT**
7 **NORTHERN DISTRICT OF CALIFORNIA**
8 **SAN FRANCISCO DIVISION**

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10 IN RE: JUUL LABS, INC. ANTITRUST
11 LITIGATION

Case No. 3:20-cv-02345-WHO

JOINT CASE MANAGEMENT STATEMENT

12
13 This Document Relates To:

14 ALL ACTIONS

Judge: Hon. William H. Orrick
Date: August 19, 2025
Time: 2:00 PM
Location: Zoom

Pursuant to the February 11, 2025 Minute Entry Setting Further Case Management Conference via videoconference (ECF No. 462), the Direct Purchaser, Indirect Purchaser, and Indirect Reseller Plaintiffs (“Plaintiffs”); Defendants Altria Group, Inc. and Altria Enterprises LLC (“Altria”); and Juul Labs, Inc., Nicholas Pritzker, and Riaz Valani (“JLI”) (“Defendants”) (collectively, “Parties”), jointly submit this Statement for the August 19, 2025 Case Management Conference.

I. CMC PARTICIPANT INFORMATION

The August 19, 2025 conference will proceed by Zoom. Anyone attending may virtually log in using the information at <https://www.cand.uscourts.gov/judges/orrick-william-h-who/>.

II. REMAINDER OF SET SCHEDULE (ECF Nos. 401, 455)

Event	Date
<i>Daubert</i> oppositions and class certification replies	September 8, 2025
<i>Daubert</i> replies	September 22, 2025
Hearing on class certification and <i>Daubert</i> motions	October 8, 2025, at 2:00 p.m.
Last day to hear MSJ	January 28, 2026, at 2:00 p.m.
Trial	May 4, 2026, at 8:30 a.m.

III. OCTOBER 8, 2025 CLASS CERTIFICATION AND *DAUBERT* HEARING

Plaintiffs’ Position

Docketing Error: Although the date for the hearing was reset from October 9 to October 8, 2025, it no longer appears on the docket. It seems it was inadvertently removed instead of the then-concurrently set hearing on DPPs’ motion to strike (ECF No. 485), which remains on calendar even though the Court denied the motion at ECF No. 504.

Scope of Hearing: Plaintiffs ask the Court for guidance regarding the scope of the hearing, *e.g.*, time allotted per side, the order of arguments, and whether the Court would find it useful to receive testimony or evidence in addition to oral argument.

Request to Reschedule: DPPs also would like to raise a scheduling conflict as to October 8. If possible, DPPs request a hearing on October 7, 2025, or on another date convenient for the Court.

Defendants' Position

Defendants have no objection to moving the hearing to October 7, 2025, or another date convenient for the Court, and similarly welcome guidance regarding the scope of the hearing.

IV. MOTION FOR SUMMARY JUDGMENT

Per the Court's current scheduling order (ECF No. 401), the operative summary judgment deadlines are below. The parties jointly propose a modified schedule that will allow adequate time for the parties' briefing and that therefore moves up the schedule in order to accommodate the Court's set hearing date:

Date	Event	<i>Proposed Date</i>
	Deadline to file MSJ	11/12/2025
	MSJ Oppositions due	12/19/2025
	MSJ Replies due	1/14/2026
1/28/2026	Last day to hear MSJ	<i>Same date</i>

Plaintiffs' Position

The argument that Defendants provide below regarding the one-way intervention rule is not ripe. Nor do Plaintiffs believe the rule warrants any modification to the case schedule, including the May 4, 2026 trial date. To the extent the issue needs to be addressed or the Court so wishes, Plaintiffs request an opportunity to submit further briefing.

Defendants' Position

Defendants agree to this schedule so long as it does not constitute a waiver of the one-way intervention rule in the event a class is certified. If a class is certified, Defendants request that no ruling on summary judgment issue until after class notice and the end of the opt-out period. *See Schwarzschild v. Tse*, 69 F.3d 293, 295 (9th Cir. 1995) ("[D]istrict courts generally do not grant summary judgment on the merits of a class action until the class has been properly certified and notified").

1 DATED: August 12, 2025

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L.R. 5-1 SIGNATURE ATTESTATION

As the ECF user whose user ID and password are utilized in the filing of this document, I attest under penalty of perjury that concurrence in the filing of the document has been obtained from each of the other signatories.

Dated: August 12, 2025

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